

## Bartus, Dave

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**From:** Bartus, Dave  
**Sent:** Tuesday, May 12, 2015 12:55 PM  
**To:** Lowe, Steven (ECY)  
**Subject:** RE: FS-1 Permit Conditions

Sounds good – glad to help. Sometimes simpler is better...

Dave

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**From:** Lowe, Steven (ECY) [mailto:slow461@ECY.WA.GOV]  
**Sent:** Tuesday, May 12, 2015 12:47 PM  
**To:** Bartus, Dave  
**Subject:** RE: FS-1 Permit Conditions

We agree whole-heartedly. Someone had brought up the question wondering if we needed the conditions, and most of us couldn't see how it would add value. Thanks for the input!

Steve

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**From:** Bartus, Dave [mailto:Bartus.Dave@epa.gov]  
**Sent:** Tuesday, May 12, 2015 10:51 AM  
**To:** Lowe, Steven (ECY)  
**Cc:** Alexander, Debra (ECY); Skinnerland, Ron (ECY); Singleton, Deborah (ECY); Temple, John (ECY); Eberlein, Elis (ECY)  
**Subject:** RE: FS-1 Permit Conditions

Good morning. Nothing like a few closure issues to brighten the day.

Quite frankly, I don't see any need for either condition, and the second one seems to add more confusion than anything. The first condition is redundant with Condition II.J.2, so there is no need to include the first new condition. Further, if you were to include such a condition, you would have to include a similar condition for each and every dangerous waste management unit with a closure plan in Rev. 8c. This simply does not make sense, particularly since II.J.2 already accomplishes exactly the same function globally.

I really don't see need for the second FS-1 permit condition either. Doesn't Permit Condition I.A, or at least the interpretation that EPA and Ecology have settled on, already accomplish the same thing? I really don't see any need to elaborate on or further explain how Permit Condition I.A operates just because a closure plan for FS-1 is being include in the permit. Quite frankly, adding this condition seems to raise a question that doesn't otherwise exist – closure of one dangerous waste management unit at a facility that has multiple dangerous waste management units never has an effect on the permit status of the balance of dangerous waste management units. Further, you would have to add a similar condition for each and every dangerous waste management unit that has an approved closure plan in the permit, which I doubt is something that you want to do.

Bottom line – no new permit conditions. I agree with Lee's question. Further, if the closure plan is not complete, including schedules, it does not meet the -610(3)(a) regulations for the content of the closure plan, and as a general rule, shouldn't be proposed for inclusion in the permit.

Let me know if you have questions – I'd be happy to discuss further.

Dave

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**From:** Lowe, Steven (ECY) [<mailto:slow461@ECY.WA.GOV>]

**Sent:** Tuesday, May 12, 2015 10:26 AM

**To:** Bartus, Dave

**Cc:** Alexander, Debra (ECY); Skinnarland, Ron (ECY); Singleton, Deborah (ECY); Temple, John (ECY); Eberlein, Elis (ECY)

**Subject:** FS-1 Permit Conditions

Hello Dave,

Looking for an opinion. With the FS-1 closure plan we thought we would also insert a couple permit conditions into 8C. The conditions are fairly simple and say for FS-1 follow the closure plan, and waste management at the rest of the LLBG Trenches 31 & 34 units will continue to be in accordance with the interim status standards in condition I.A. You can see the redline attached for the wording. So we wanted to get a legal ok and sent it to Lee Overton. I talked to Lee this morning. He hadn't had a chance to look at it yet, but he did have an interesting question. If the closure plan is complete and has a schedule and everything, he was wondering if we really even need the additional permit conditions. He's going to continue looking at it. But we thought it would be interesting to see what you think also. Any thoughts?

Thanks!

Steve Lowe